

### **REMARKS/ARGUMENTS**

This case has been carefully reviewed in view of the Official Action dated 3 March 2006. Responsive to the rejections made in the Official Action, Claims 1, 2, 15, 16 and 18 have been amended to clarify the language thereof.

In the Official Action, the Examiner rejected Claims 1-18 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, the Examiner stated that Claims 1, 15, 16 and 18 recite limitations which appeared to disagree with the Specification. In particular, the Claims recite the “at least one check valve” as forming “a second oil path”, however, the Specification describes the element 181 as the second oil path. The Examiner further stated that the description of the claimed “speed adjustment unit” could not be found in the Specification is only mentioned once therein.

Independent Claims 1, 15, 16 and 18 have been amended to correct the language thereof, so as to avoid conflict with the language of the Specification. Further, the nomenclature associated with the structure involved in speed adjustment has also been changed. Additionally, Claim 2 has been amended to provide antecedent basis for the terms therein in light of the amendment to Claim 1.

The Claims have been amended to define the “at least one check valve” as forming a unidirectional communication between the upper chamber and the lower chamber, rather than “a second oil path”. This revised Claim language now eliminates the confusion with the “second oil path” referred to in the Specification, and is fully supported by the description of the operation of the check valves.

Although the terminology “speed adjustment unit” was not used in the Specification in conjunction with the description of the structure which provides the speed adjustment during door closure, the description of the elements which form the claimed “speed adjustment unit” are clearly described in the Specification. In Claim 1, the terminology “speed adjustment unit” has been replaced by means for adjusting an amount of oil flowing from the upper chamber to the lower chamber, that means being responsive to an escalated height of the piston rod when the piston rod ascends along the inner circumferential surface of the cam body, as now claimed. The description of the operation of this mechanism is described in the Specification on page 49, line 19 through page 52, line 11. Similarly, in Claim 15, the terminology “speed adjustment unit” has been changed to mechanism for adjusting an ascending speed of the piston, which is clearly supported by the aforesaid Specification paragraphs.

Therefore, the Claims now particularly point out and distinctly claim the subject matter that Applicant regards as the invention. Accordingly, it is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

If there are any further charges associated with this filing, the Honorable Commissioner for Patents is hereby authorized to charge Deposit Account #18-2011 for such charges.

Respectfully submitted,  
For: ROSENBERG, KLEIN & LEE

A handwritten signature in cursive script, reading "David I. Klein".

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